

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

TARGET TRAINING INTERNATIONAL,
LTD.,

Plaintiff,

v.

EXTENDED DISC NORTH AMERICA,
INC.,

Defendant.

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Civil Action No. 4:10-cv-03350

JURY TRIAL DEMANDED

ORDER

Came for consideration before the Court, Defendant's Motion For Summary Judgment Of Non-Infringement And Invalidity, And, Alternatively, Motion To Dismiss. The Court, having considered the papers and the arguments of counsel, **GRANTS** the motion and finds as follows:

- (1) Claims 1, 2, and 5-11 of U.S. Patent No. 7,249,372 are invalid over U.S. Patent No. 6,112,049 (Sonnenfeld) prior art reference as set forth and described in the findings and conclusions of the United States Patent Office and the Court of Appeals for the Federal Circuit relative to the reexamination of the aforementioned patent.
- (2) Because claims 1, 2, and 5-11 are invalid, the Court finds that Defendant Extended DISC North America, Inc. does not infringe any of these claims.

Accordingly, the Court **ORDERS** that all claims asserted by Plaintiff Target Training International, Ltd. should be and hereby are **DISMISSED WITH PREJUDICE**.

Signed this ____ day of _____, 2015.

U.S. District Judge Kenneth M. Hoyt